I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date: August 25, 2004.

Attorney Docket No. 89467

TOWN

TOWNSEND and TOWNSEND and CREW LLP

Corres. and Mail
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JUERGEN KAUFMANN

Application No. 10/054,516

Filed: November 13, 2001

For: GAS PERMEABLE PROBE FOR USE IN AN OPTICAL ANALYZER FOR AN EXHAUST GAS STREAM FLOWING THROUGH A DUCT OR CHIMNEY

Customer No. 20350

Confirmation No. 4782

Examiner: Richard A. Rosenberger

AMENDMENT AFTER FINAL UNDER 37 CFR 1.116 EXPEDITED PROCEDURE -EXAMINING GROUP 2877

San Francisco, CA 94111 August 25, 2004

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

As a precautionary measure, applicant requests an extension of time, if needed and if not separately attached hereto, and authorizes the Commissioner to charge the fee therefor to our deposit account in accordance with our standing authorization for such charges.

In response to the Final Rejection mailed July 28, 2004, please enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.